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Philately

Postal Regulations

Excerpts from newspapers and other
sources

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Post Office Department
THIRD ASSISTANT POSTMASTER GENERAL

RK:RM

Washington

November 25, 1940.

Mr. M. A. Cook,
Lincoln National Life Foundation,
Fort Wayne, Indiana.

My dear Sir:

Receipt is acknowledged of your letter of November 15, advising of your plan to compile a history of the postage stamps bearing the likeness of Abraham Lincoln, in which you inquire as to the rules applying to the illustrating of postage stamps.

You would undoubtedly find helpful information on this subject in the booklet issued by the Department containing a description of all postage stamps from 1847 to 1939, inclusive, copies of which are obtainable from the Superintendent of Documents, Government Printing Office, Washington, D. C., in accordance with the instructions in the attached notice. Besides the description of the stamps, this booklet contains half-tone reproductions in black and white of the various stamp issues, including all the Lincoln stamps.

As a matter of interest, in case you desire to illustrate any of the Lincoln stamps in your contemplated brochure, you are being furnished herewith copies of the Law and Treasury Regulations pertaining to the reproduction of postage stamps in philatelic and related publications. It will be noted that the stamp illustrations are required to be in black and white and less than three-quarters or more than one and one-half times the linear dimensions of the original. These rules must be strictly adhered to in all postage stamp illustrations.

Very truly yours,

Ramsey S. Blank
Third Assistant Postmaster General.

Encl's.

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"Reprint of notice which appeared in the Postal Bulletin of November 14, 1939"

**NEW EDITION OF DESCRIPTIVE BOOKLET ON UNITED STATES
POSTAGE STAMPS**

THIRD ASSISTANT POSTMASTER GENERAL,
Washington, November 10, 1939.

The attention of postmasters is hereby directed to the issuance of a revised edition of the official booklet containing a description and illustrations of all United States postage stamps from the date of their introduction in 1847 to June 30, 1939.

The new stamp booklet will be issued to the public through the office of the Superintendent of Documents at a price of 25 cents per copy with paper binding, and 75 cents in cloth covers, which includes the cost of delivery. All mail orders for this booklet should be directed as follows:

SUPERINTENDENT OF DOCUMENTS,
U. S. GOVERNMENT PRINTING OFFICE,
WASHINGTON, D. C.

Remittances accompanying orders for the booklet may be in the form of postal money orders or personal checks. Postage stamps are not acceptable.

A Junior Edition booklet, restricted to commemorative stamps, is also obtainable from the above office at 10 cents a copy.

Postmasters should bring this notice to the attention of patrons who may be interested through the local press or otherwise without expense to the Department.

RAMSEY S. BLACK,
Third Assistant Postmaster General.

160114. (Ed. 1,000.)

U. S. GOVERNMENT PRINTING OFFICE: 1939

Treasury Department Regulations Relating to Illustrations
of United States Postage Stamps.

* * * * *

Section 1. Authority for regulations.--These regulations are issued under authority of section 2(b) of the Act of Congress of January 27, 1938, entitled "An Act to permit the printing of black-and-white illustrations of United States and foreign postage stamps for philatelic purposes".

Sec. 2. Finding of fact.--The Secretary of the Treasury, with the approval of the President, finds that no hindrance to the suppression of counterfeiting and no tendency to bring into disrepute any obligation or other security of the United States will result from the issuance of these regulations.

Sec. 3. Illustrations permitted.--The printing, publishing, and importation, and the making and importation of the necessary plates for such printing and publishing, for philatelic purposes in articles, books, journals, newspapers, and albums (including the circulars and advertising literature of legitimate dealers in stamps and publishers of and dealers in philatelic and historical articles, books, journals, and albums) of black-and-white illustrations of canceled and uncanceled United States postage stamps are permitted, provided that such illustrations are of a size less than three-quarters or more than one and one-half, in linear dimension, of each part of such stamp.

Sec. 4. Repeal or amendment of regulations.--These regulations may be amended or repealed at any time, which amendment or repeal shall become effective upon publication thereof in the Federal Register or upon such date as may be specified therein if later than the date of publication.

Sec. 5. Effective date of regulations.--These regulations shall become effective upon publication thereof in the Federal Register.

Approved: Feb. 14, 1938.

(Signed) H. MORGENTHAU, JR.
Secretary of the Treasury.

(Signed) FRANKLIN D. ROOSEVELT.

[PUBLIC—No. 421—75TH CONGRESS]

[CHAPTER 10—3D SESSION]

[S. 2550]

AN ACT

To permit the printing of black-and-white illustrations of United States and foreign postage stamps for philatelic purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Postmaster General shall prepare, in such form and at such times as he shall deem advisable, and, upon his request, the Public Printer shall print as a public document to be sold by the Superintendent of Documents, illustrations in black and white of postage stamps of the United States, together with such descriptive, historical, and philatelic information with regard to such stamps as the Postmaster General may deem suitable: Provided, That notwithstanding the provisions of section 52 of the Act of January 12, 1895 (U. S. C., 1934 edition, title 44, sec. 58), stereotype or electrototype plates, or duplicates thereof, used in the publications authorized to be printed by this section shall not be sold or otherwise disposed of but shall remain the property of the United States: And provided further, That notwithstanding the provisions of section 7 of the Copyright Act of March 4, 1909 (U. S. C., 1934 edition, title 17, sec. 7), or any other provision of law, copyright may be secured by the Postmaster General on behalf of the United States in the whole or any part of the publication authorized by this section.

SEC. 2. The Act of March 3, 1923 (U. S. C., 1934 edition, title 18, sec. 350), is amended to read as follows: "That (a) nothing in sections 161, 172, and 220 of the Criminal Code, as amended, or in any other provision of law, shall be construed to forbid or prevent the printing, publishing, or importation, or the making or importation of the necessary plates for such printing or publishing, for philatelic purposes in articles, books, journals, newspapers, or albums (including the circulars or advertising literature of legitimate dealers in stamps or publishers of or dealers in philatelic or historical articles, books, journals, or albums), of black and white illustrations of—

"(1) foreign revenue stamps if from plates so defaced as to indicate that the illustrations are not adapted or intended for use as stamps;

"(2) foreign postage stamps; or

"(3) such portion of the border of a stamp of the United States as may be necessary to show minor distinctive features of the stamp so illustrated, but all such illustrations shall be at least four times as large as the portion of the original United States stamp so illustrated.

"(b) Notwithstanding any other provision of law, the Secretary of the Treasury, subject to the approval of the President, may, upon finding that no hindrance to the suppression of counterfeiting and no tendency to bring into disrepute any obligation or other security

of the United States will result, by regulations, permit, to the extent and under such conditions as he may deem appropriate, the printing, publishing or importation or the making or importation of the necessary plates for such printing or publishing, for philatelic purposes in articles, books, journals, newspapers, or albums (including the circulars or advertising literature of legitimate dealers in stamps or publishers of or dealers in philatelic or historical articles, books, journals, or albums), of black and white illustrations of canceled or uncanceled United States postage stamps. The Secretary, subject to the approval of the President, may amend or repeal such regulations at any time. Such regulations, and any amendment or repeal thereof, shall become effective upon publication thereof in the Federal Register or upon such date as may be specified therein if later than the date of publication. All findings of fact made hereunder shall be final and conclusive and shall not be subject to review."

SEC. 3. Section 147 of the Criminal Code is hereby amended by striking out the period at the end thereof and adding a comma and the following: "and canceled United States stamps."

SEC. 4. Section 172 of the Criminal Code is hereby amended by the addition of the following new paragraph at the end thereof:

"Except as to counterfeits, material, and apparatus referred to in the preceding paragraph, all articles and devices and any other thing whatsoever made, possessed, or in any manner used in violation of any of the provisions of chapter 7 or sections 205, 218, 219, or 220 of chapter 8 of the Criminal Code, or the Act of August 26, 1935 (U. S. C., 1934 edition, title 18, ch. 7, and secs. 328, 347, 348, 349, and 349a, ch. 8), as amended, or in respect to which a violation of any such provision has occurred, and all material or apparatus fitted or intended to be used, or that shall have been used, in the making of such articles, devices, or other things, that shall be found in the possession of any person without authority from the Secretary of the Treasury or other proper officer to have the same, shall be taken possession of by any authorized agent of the Treasury Department and forfeited to the United States and disposed of in any manner the Secretary of the Treasury may direct. Whoever having the custody or control of any such articles, devices, or other things, material, or apparatus shall fail or refuse to surrender possession thereof upon request by any such authorized agent of the Treasury Department shall be fined not more than \$100 or imprisoned not more than one year, or both. Whenever any person interested in any article, device, or other thing, or material or apparatus seized under this paragraph files with the Secretary of the Treasury, before the disposition thereof, a petition for the remission or mitigation of such forfeiture, the Secretary of the Treasury, if he finds that such forfeiture was incurred without willful negligence or without any intention on the part of the petitioner to violate the law, or finds the existence of such mitigating circumstances as to justify the remission or the mitigation of such forfeiture, may remit or mitigate the same upon such terms and conditions as he deems reasonable and just."

Approved, January 27, 1938.

Amendment of Regulations Relating to Illustrations
of United States Postage Stamps.

* * * * *

Pursuant to the authority contained in section 2 (b) of the Act of Congress of January 27, 1938, entitled "An Act to permit the printing of black and white illustrations of United States and foreign postage stamps for philatelic purposes", section 3 of the Regulations relating to illustrations of United States postage stamps, approved February 14, 1938, is hereby amended to read as follows:

"Sec. 3. Illustrations permitted.--The printing, publishing, and importation, and the making and importation of the necessary plates for such printing and publishing, for philatelic purposes in articles, books, journals, newspapers, and albums (including the circulars and advertising literature of legitimate dealers in stamps and publishers of and dealers in philatelic and historical articles, books, journals, and albums) of black and white illustrations of canceled and uncanceled United States postage stamps (including postage stamps impressed upon stamped envelopes and postal cards) are permitted, provided that such illustrations are of a size less than three-quarters or more than one and one-half, in linear dimensions, of each part of such stamp."

(SEAL)

WAYNE C. TAYLOR,

Acting Secretary of the Treasury.

Approved: November 26, 1938.

FRANKLIN D. ROOSEVELT
The White House.

Code of Federal Regulations
Title 31 -- Money and Finance: Treasury
Chapter IV -- Secret Service
Part 402 --

REPRODUCTION OF CANCELED UNITED STATES
INTERNAL REVENUE STAMPS

Section 402.1. Authority.--This authorization is made under authority of section 150 of the Act of March 4, 1909, 35 Stat. 1116 (U.S.C., title 18, sec. 264) and section 172 of the Act of March 4, 1909, 35 Stat. 1121, as amended by section 4 of the Act of January 27, 1938, 52 Stat. 7 (U.S.C., title 18, sec. 286) and under all other authority vested in the Secretary of the Treasury.

Section 402.2. Reproductions authorized.--Authority is hereby given to make, hold and dispose of black and white reproductions of canceled United States internal revenue stamps, provided that such reproductions are made, held and disposed of as a part of and in connection with the making, holding, and disposition, for lawful purposes, of the reproductions of the documents to which such stamps are attached.

Section 402.3. Modification or Revocation.--This authorization may be modified or revoked at any time.

HERBERT E. GASTON
Acting Secretary of the Treasury.

January 15, 1940.

R-2-12-59.

September 23, 1958

TREASURY DEPARTMENT

U. S. SECRET SERVICE

USE OF ILLUSTRATIONS AND FILMS OF PAPER MONEY, POSTAGE AND REVENUE
STAMPS, AND OTHER OBLIGATIONS AND SECURITIES OF THE UNITED
STATES AND FOREIGN GOVERNMENTS

I. Introduction.

The Treasury Department sponsored legislation in the 85th Congress to liberalize and clarify the laws relating to the use of illustrations and films of paper money, postage and revenue stamps, checks, bonds, and other obligations and securities of the United States and foreign governments. This legislation was passed by the 85th Congress and approved by the President on September 2, 1958 (Public Law 85-921, 85th Congress).

This document contains information as to when it is permissible under the new legislation to print illustrations and make films of United States and foreign obligations and securities in comparison with what was permissible prior to its enactment.

II. United States and Foreign Paper Money and Other Obligations and Securities.

(A). Printed Illustrations.--Under the new law, printed illustrations of paper money, checks, bonds, and other obligations and securities of the United States and foreign governments are permissible for numismatic, educational, historical and newsworthy purposes. Previously, special permission of the Secretary of the Treasury was necessary.

The illustrations of paper money, checks, or bonds must be in black and white and must be of a size less than three-fourths or more than one and one-half times the size of the genuine instrument. The illustrations must appear in articles, books, journals, newspapers, magazines, or albums, and no individual facsimiles of such obligations are permitted. No illustrations may be in color, whether or not the color is the same as the color of the genuine instrument.

The following are some examples of situations where illustrations are now permissible without special permission of the

Secretary of the Treasury, provided the illustrations are in black and white and conform to the size restrictions: (1) Illustrations of paper money, postal money orders, and savings bonds in books to teach arithmetic; (2) illustrations of paper money accompanying educational or historical articles dealing with paper money in numismatic or other periodicals; (3) illustrations of paper money in albums for the collection of such money; and (4) illustrations of paper money or checks accompanying newsworthy articles in newspapers or magazines.

(B). Films, Microfilms and Slides.--Under the new law, films, microfilms, and slides of paper money, checks, bonds, and other obligations and securities of the United States and foreign governments are permitted in black and white or in color for projection upon a screen or for use in telecasting. Previously, such films or slides were permitted only by special permission of the Secretary of the Treasury.

The following are some examples of situations where films or slides of obligations and securities of the United States and foreign governments may be used: (1) Slides of paper money used by numismatists in giving lectures on the history of money; (2) educational films showing paper money used by business concerns to teach personnel how to make change; (3) microfilms of paper money, checks, and bonds by banks and banking institutions (a practice previously permitted by Treasury regulations); and (4) motion-picture films containing reproductions of paper money made by motion-picture producers for entertainment purposes.

(C). Advertising.--Printed illustrations or films of paper money, checks, or bonds are not permitted in connection with advertising of any nature, except printed illustrations, but not films, of paper money may be used in connection with numismatic advertising. Also, under Treasury regulations illustrations of United States savings bonds and stamps are permitted in connection with the campaign for the sale of such bonds or stamps, provided the illustrations of savings stamps, but not savings bonds, are of a size less than three-fourths or more than one and one-half times the size of the genuine stamp.

III. United States and Foreign Postage Stamps.

(A). Printed Illustrations of United States Postage Stamps.

(1). Black and White Illustrations.--United States postage stamps may continue to be illustrated under the new

law, as previously, in black and white for philatelic purposes in articles, books, journals, newspapers or albums. However, under regulations issued by the Secretary of the Treasury pursuant to statute there was formerly a requirement that the illustrations be less than three-fourths or more than one and one-half times the size of the genuine stamp. The new legislation removes this requirement and United States postage stamps may be illustrated in exact size. Also, it was previously necessary that the stamp illustrations be for a philatelic purpose, which the Treasury Department had interpreted to require that information of interest to philatelists accompany the illustrations, such as information as to the size, denomination, or the date of issue of the stamp, or the significance of its design. The purposes for which such illustrations may appear are broadened under the new law to include educational, historical, and newsworthy purposes.

No individual facsimiles of postage stamps are permitted. No individual photographs are permitted, except glossy prints necessary to reproduce the illustrations in publications.

(2). Colored Illustrations.--Colored illustrations of United States postage stamps, whether or not canceled or demonetized, continue to be prohibited under existing law.

(E). Printed Illustrations of Foreign Postage Stamps.

(1). Black and White Illustrations.--Black and white illustrations of foreign postage stamps in exact size continue to be permitted under the new law, as previously, for philatelic purposes in articles, books, journals, newspapers, and albums. The purposes for which the illustrations may appear, however, have been broadened in the same manner as previously stated with respect to United States postage stamps.

As in the case of United States stamps, no individual facsimiles or photographs of foreign postage stamps are permitted except glossy prints necessary to reproduce the illustrations in publications.

(2). Colored Illustrations.--The Treasury Department had taken the position in the past that under the law as interpreted by the Attorney General the only colored illustrations of foreign postage stamps that were permissible were colored illustrations of demonetized foreign postage stamps. The new law permits colored illustrations of all foreign postage stamps, provided they are illustrations of canceled stamps. Thus, the test of whether a stamp may be illustrated in color

is changed under the new law from a question of whether a stamp is demonetized to a question of whether it is canceled. It is hence now permissible to use colored illustrations of all foreign postage stamps, including current stamps, provided that the stamps illustrated bear a cancellation mark, i.e., the stamps have been used for postage. On the other hand, it is not permissible, as it was in the past, to use colored illustrations of uncanceled demonetized foreign postage stamps.

(C). Films of United States and Foreign Postage Stamps.--The new law permits films and slides of United States and foreign postage stamps in black and white or in color for projection upon a screen or for use in telecasting. Previously, such films and slides could be made only by special permission of the Secretary of the Treasury.

Under the new law, it is no longer necessary, for example, for philatelists to obtain special permission from the Secretary of the Treasury to make slides of postage stamps for use in connection with lectures before stamp clubs or other groups.

(D). Advertising.

(1). Printed Illustrations.--Black and white illustrations of United States and foreign postage stamps continue to be permitted under the new law, as previously, in philatelic advertising of legitimate dealers in stamps or publishers of or dealers in philatelic articles, books, journals, newspapers, or albums. In the case of United States postage stamps, the illustrations under the new law can be in exact size. Also, colored illustrations, but only those of canceled foreign postage stamps, are permitted in philatelic advertising.

(2). Films.--The new legislation contains an exception which permits the use of reproductions of United States and foreign postage stamps in films for philatelic advertising purposes.

IV. United States and Foreign Revenue Stamps.

(A). Printed Illustrations of United States Revenue Stamps.--Under the new law, printed illustrations of United States revenue stamps are permitted for the first time under the same conditions and for the same purposes as illustrations of United States postage stamps. Previously, only an illustration of a portion of the border of a revenue stamp was permissible and the illustration was required to be at least four times the size of the portion of the genuine

stamp illustrated. As in the case of postage stamps, the illustrations must be in black and white and colored illustrations of United States revenue stamps are not permitted.

(B). Printed Illustrations of Foreign Revenue Stamps.--Printed illustrations of foreign revenue stamps are permitted on the same conditions and for the same purposes as illustrations of foreign postage stamps. Previously, illustrations of foreign revenue stamps were permitted only if made from defaced plates. Under the new law, colored illustrations, but only of canceled foreign revenue stamps, are also permissible.

(C). Films of Revenue Stamps.--Films of United States and foreign revenue stamps are permissible in the same manner as films of United States and foreign postage stamps.

V. Destruction of Plates and Negatives.

Under the new law, the plates and negatives, including glossy prints, of paper money, postage and revenue stamps, bonds and other obligations and securities of the United States and foreign governments, used in printing the illustrations in publications must be destroyed after their final use for the purpose for which they were made.

No prints or enlargements from films or slides of paper money, postage or revenue stamps, bonds, or other obligations are permitted, except black and white prints may be made from such films or slides for the purpose of reproducing illustrations in publications.

VI. Illustrations and Films of Coins.

The new legislation made no change in the provisions relating to the use of illustrations of coins. The Act of July 16, 1951, removed the restrictions on photographs and printed illustrations of coins of the United States and foreign countries so that photographs or printed illustrations of coins may be used for any purpose, including advertising. The same is true with respect to films of coins.

Existing law, however, does prohibit the manufacture, sale, or use of any token, disk, or device in the likeness or similitude as to the design, color, or the inscription thereon of any of the coins of the United States or of any foreign country issued as money.

VII. Excerpts from Applicable Statutes.

(A). Title 18, U. S. Code, section 474.

"Whoever prints, photographs, or in any other manner makes or executes any engraving, photograph, print, or impression in the likeness of any such obligation or other security, or any part thereof, or sells any such engraving, photograph, print, or impression, except to the United States, or brings into the United States, any such engraving, photograph, print, or impression, except by direction of some proper officer of the United States; * * * * shall be fined not more than \$5,000 or imprisoned not more than fifteen years, or both."

(B). Title 18, U. S. Code, section 475.

"Whoever designs, engraves, prints, makes, or executes, or utters, issues, distributes, circulates, or uses any business or professional card, notice, placard, circular, handbill, or advertisement in the likeness or similitude of any obligation or security of the United States issued under or authorized by any Act of Congress or writes, prints, or otherwise impresses upon or attaches to any such instrument, obligation, or security, or any coin of the United States, any business or professional card, notice, or advertisement, or any notice or advertisement whatever, shall be fined not more than \$500."

(C). Title 18, U. S. Code, section 8.

"The term 'obligation or other security of the United States' includes all bonds, certificates of indebtedness, national bank currency, Federal Reserve notes, Federal Reserve bank notes, coupons, United States notes, Treasury notes, gold certificates, silver certificates, fractional notes, certificates of deposit, bills, checks, or drafts for money, drawn by or upon authorized officers of the United States, stamps and other representatives of value, of whatever denomination, issued under any Act of Congress, and canceled United States stamps."

(D). Title 18, U. S. Code, section 481.

"Whoever, except by lawful authority, prints, photographs, or makes, executes, or sells any engraving, photograph, print, or impression, in the likeness of any genuine note, bond, obligation, or other security, or any

part thereof, of any foreign government, bank, or corporation; or whoever brings into the United States *** shall be fined not more than \$5,000 or imprisoned not more than five years, or both."

(E). Title 18, U. S. Code, section 15.

"The term 'obligation or other security of any foreign government' includes, but is not limited to, uncanceled stamps, whether or not demonetized."

(F). Title 18, U. S. Code, section 504.

"Notwithstanding any other provision of this chapter, the following are permitted:

"(1) the printing, publishing, or importation, or the making or importation of the necessary plates for such printing or publishing, of black and white illustrations of postage and revenue stamps and other obligations and securities of the United States, and postage and revenue stamps, notes, bonds, and other obligations or securities of any foreign government, bank, or corporation for philatelic, numismatic, educational, historical, or newsworthy purposes in articles, books, journals, newspapers, or albums (but not for advertising purposes, except illustrations of stamps and paper money in philatelic or numismatic advertising of legitimate numismatists and dealers in stamps or publishers of or dealers in philatelic or numismatic articles, books, journals, newspapers, or albums). Such illustrations, except those of stamps, shall be of a size less than three-fourths or more than one and one-half, in linear dimension, of each part of such obligation or security. The negatives and plates used in making the illustrations shall be destroyed after their final use for the purpose for which they were made.

"(2) the making or importation, but not for advertising purposes except philatelic advertising, of motion-picture films, microfilms, or slides, for projection upon a screen or for use in telecasting, of postage and revenue stamps and other obligations and securities of the United States, and postage and revenue stamps, notes, bonds, and other obligations or securities of any foreign government, bank, or corporation. No prints or other reproductions shall be made from such films or slides, except for the purposes of paragraph (1), without the permission of the Secretary of the Treasury."

(G). Title 18, U. S. Code, section 489.

"Whoever, within the United States, makes or brings therein from any foreign country, or possesses with intent to sell, give away, or in any other manner uses the same, except under authority of the Secretary of the Treasury or other proper officer of the United States, any token, disk, or device in the likeness or similitude as to design, color, or the inscription thereon of any of the coins of the United States or of any foreign country issued as money, either under the authority of the United States or under the authority of any foreign government shall be fined not more than \$100."



